

REMARKS

Status of the Claims

Claims 1-20 are pending in the present application. Claims 1-7 and 9-20 were rejected under 35 U.S.C. § 103(a) as “being unpatentable over Schlitter (WO2003/002631, US Pat Appl 2004/0220381 . . .) in view of Bohner (WO2002/002669, US Pat Appl 2003/0176630 . . .).” (Office Action at 2-3). Claim 8 was rejected under 35 U.S.C. § 103(a) “as being unpatentable over Schlitter and Bohner in view of Sigwart (US 5939590).” (Office Action at 6).

Rejection Under 35 U.S.C. § 103(a) Over Zehner in view of EP 520

According to the Examiner, “Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 C.F.R. 1.55.” (Office Action at 3). The Examiner further noted that, “Filing the English translation of said documents would overcome this rejection.” (*Id*). In response, Applicants submit herewith the enclosed Claim for Priority and Submission of Documents. Included in this submission is a certified copy of Applicants’ German Priority Document No. DE 102 42 286.9, filed September 12, 2002, as well as a translation of that document including a verified statement that the translation is true and correct. Applicants submit that this submission meets the requirements of 37 C.F.R. 1.55 and that this rejection is therefore overcome.

Applicant believes the pending application is in condition for allowance.

A petition and fee for a two month extension of time is included with this response. If any other fee is due, please charge our Deposit Account No. 22-0185, under Order No. 12810-00036-US from which the undersigned is authorized to draw.

Application No.: 10/527,583

Docket No.: 12810-00036-US

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Respectfully submitted,

By 
Matthew J. Mason

Registration No.: 44,904
CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800
Washington, DC 20036-3425
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant